



01-22-07 IAP13 Rec'd PCT/PTO 18 JAN 2007

PTO/SB/21 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

12

Application Number

10/554,252

Filing Date

October 24, 2005

First Named Inventor

William C. Sessa

Art Unit

Not Yet Assigned

Examiner Name

Not Yet Assigned

Attorney Docket Number

YU/110

### ENCLOSURES (Check all that apply)

- Fee Transmittal Form
  - Fee Attached
- Amendment/Reply
  - After Final
  - Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/ Incomplete Application
  - Reply to Missing Parts under 37 CFR 1.52 or 1.53

- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation
- Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_
- Landscape Table on CD

- After Allowance Communication to TC
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please Identify below):
  1. Two (2) copies of Declaration and Power of Attorney
  2. Copy of Notification of Missing Requirements (2 pages)
  3. Postcard

#### Remarks

Please charge the \$65.00, oath or declaration surcharge to Deposit Account No. 06-1075, Order No. 003802-013.

The Director is hereby authorized to charge payment of any fees required in connection with filing of these papers to Deposit Account No. 06-1075, Order No. 003802-0013. A duplicate copy of this letter is transmitted herewith.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Fish & Neave IP Group of Ropes & Gray LLP

Signature

Printed name

Jane Gunnison

Date

January 18, 2007

Reg. No.

38,479

### CERTIFICATE OF EXPRESS MAILING – EV620757609US

I hereby certify that this paper/fee and the listed enclosures are being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to the Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature

Typed or printed name

Isatta Smith

Date

January 18, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Attorney Docket No.: YU/110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : William C. Sessa et al.  
Application No. : 10/554,252 Confirmation No.: 2742  
Art Unit : Not Yet Assigned  
Examiner : Not Yet Assigned  
Filed : October 24, 2005  
For : A NOVEL REGULATOR OF ENDOTHELIAL CELL  
FUNCTION AND VESSEL REMODELING

New York, New York  
January 18, 2007

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C. § 371

Sir:

This responds to the November 20, 2006 Notification of Missing Requirements  
Under 35 U.S.C. § 371 in the United States Designated/Elected Office (DO/EO/US)  
("Notification," copy enclosed) in the above-identified patent application. A response is due by  
January 20, 2007. Thus, this response is timely filed.

01/23/2007 GFREY1 00000126 061075 10554252  
01 FC:2617 65.00 DA

The Notification requires submission of an oath or declaration of the inventors  
in compliance with 37 CFR §1.497(a) and (b).

Application No. 10/554,252  
Notification dated November 20, 2006  
Response dated January 18, 2007

Accordingly, applicants submit herewith a set of two originally executed Declaration and Power of Attorney, executed by the inventors.

The Director is hereby authorized to charge \$65.00 in payment of the required late declaration surcharge and any additional fees required in connection with the papers transmitted herewith to Deposit Account No. 06-1075, Order No. (003802.0013). A duplicate copy of this response is enclosed herewith.

Respectfully submitted,

Jane T. Gunnison  
Jane T. Gunnison (Reg. No. 38,479)  
Attorney for Applicants  
c/o Fish & Neave IP Group  
ROPES & GRAY LLP  
Customer No. 1473  
1251 Avenue of the Americas  
New York, New York 10020-1105  
Tel.: (212) 596-9000  
Fax.: (212) 596-9090



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/554,252	William C Sessa	YU/110

1473  
 FISH & NEAVE IP GROUP  
 ROPES & GRAY LLP  
 1251 AVENUE OF THE AMERICAS FL C3  
 NEW YORK, NY 10020-1105

INTERNATIONAL APPLICATION NO.

PCT/US04/12354

I.A. FILING DATE	PRIORITY DATE
04/23/2004	04/24/2003

CONFIRMATION NO. 2742  
 371 FORMALITIES LETTER



\*OC000000021281542\*

Date Mailed: 11/20/2006

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

**RECEIVED**

- Indication of Small Entity Status
- Copy of the International Application filed on 10/24/2005
- Copy of the International Search Report filed on 10/24/2005
- Preliminary Amendments filed on 10/24/2005
- Information Disclosure Statements filed on 08/30/2006
- Oath or Declaration filed on 10/24/2005
- U.S. Basic National Fees filed on 10/24/2005
- Priority Documents filed on 10/24/2005

NOV 27 2006

ROPS & GRAY LLP PATENT DEPT.  
 REFERRED TO BY  
 NOTED BY JP

File No.: YU/110  
 Action Desc: Declaration Due  
 Due Date: On 20, 2007  
 By JP

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHAKEEL AHMED

---

Telephone: (703) 308-9140 EXT 208

**PART 1 - ATTORNEY/APPLICANT COPY**

---

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/554,252	PCT/US04/12354	YU/110

FORM PCT/DO/EO/905 (371 Formalities Notice)